

104TH CONGRESS  
1ST SESSION

# H. R. 1737

To encourage the development of the commercial space industry by  
establishing State-run spaceports, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

MAY 25, 1995

Mrs. SEASTRAND (for herself, Mr. BAKER of California, Mr. BILBRAY, Mr. CALVERT, Mr. DOOLITTLE, Mr. HERGER, Mr. HUNTER, Mr. MOORHEAD, Mr. POMBO, Mr. RADANOVICH, Mr. RIGGS, Mr. ROHRABACHER, Mr. SKEEN, Mr. McKEON, Mr. HORN, and Mr. GALLEGLY) introduced the following bill; which was referred to the Committee on Science, and in addition to the Committees on Transportation and Infrastructure and Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## A BILL

To encourage the development of the commercial space industry by establishing State-run spaceports, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “National Spaceport  
5       Act”.

1 **SEC. 2. FINDINGS.**

2 The Congress finds that—

3 (1) spaceport development is a national eco-  
4 nomic interest that should be pursued as part of a  
5 national transportation policy;

6 (2) many nations around the world, including  
7 France, China, Russia, Japan, Canada, and Aus-  
8 tralia, have embarked on aggressive commercial  
9 space development programs;

10 (3) the United States, once the leader in the  
11 commercial space market, is in danger of falling be-  
12 hind in the international commercial space market;

13 (4) the Government must clearly demonstrate  
14 its commitment to support commercial space activity  
15 in America, thereby encouraging greater financial  
16 support from private industry;

17 (5) the United States must develop a long-term,  
18 comprehensive, and aggressive policy to successfully  
19 compete in the international commercial space mar-  
20 ket, to return the United States to its position of  
21 primary world supplier of launch services; and

22 (6) spaceport development is the key component  
23 in this endeavor because it provides the final piece—  
24 launch facilities—to the existing parts of the United  
25 States commercial space market.

1 **SEC. 3. DEFINITION.**

2 For purposes of this Act, the term “spaceport”  
3 means a space launch or recovery facility, or a supporting  
4 educational or research facility providing space industry  
5 worker training or commercial application research, des-  
6 ignated by a State in an application approved under sec-  
7 tion 5.

8 **SEC. 4. NATIONAL SPACEPORT OFFICE.**

9 (a) ESTABLISHMENT.—There is established within  
10 the Department of Transportation a National Spaceport  
11 Office.

12 (b) STAFF.—The National Spaceport Office shall  
13 have a staff consisting of a director, 4 regional super-  
14 visors, and not more than 5 additional support staff.

15 (c) DUTIES.—The National Spaceport Office shall—

16 (1) administer the application and assistance  
17 program under section 5; and

18 (2) establish appropriate procedures for—

19 (A) the competitive awarding of grants  
20 under section 5(b)(1); and

21 (B) the transfer of excess Federal property  
22 to spaceports under section 5(b)(3), while en-  
23 suring that the spaceport compensates the Fed-  
24 eral Government for the Federal expenses of  
25 operating facilities in connection with property  
26 so transferred.

1 **SEC. 5. SPACEPORT ASSISTANCE.**

2 (a) APPLICATION.—A State or State-designated en-  
3 tity, including a nonprofit organization, desiring assist-  
4 ance under this section shall submit an application to the  
5 National Spaceport Office requesting specifically the Fed-  
6 eral assistance sought and setting forth a comprehensive  
7 plan for spaceport development, including the educational  
8 components of such development.

9 (b) ASSISTANCE.—The National Spaceport Office  
10 shall approve meritorious applications submitted under  
11 subsection (a) and provide to the successful applicants as-  
12 sistance, including—

13 (1) grants, to the extent of available funding  
14 under section 9;

15 (2) the use of excess Federal launch, recovery,  
16 launch vehicle, and support assets, consistent with  
17 applicable international agreements, for educational  
18 launches; and

19 (3) excess Federal property, including research  
20 facilities, by transfer.

21 **SEC. 6. TAX-EXEMPT BOND FINANCING FOR SPACEPORTS.**

22 (a) IN GENERAL.—Subsection (a) of section 142 of  
23 the Internal Revenue Code of 1986 (relating to exempt  
24 facility bonds) is amended by striking “or” at the end of  
25 paragraph (11), by striking the period at the end of para-

1 graph (12) and inserting “, or”, and by adding at the end  
2 the following:

3 “(13) spaceports (as defined in section 3 of the  
4 National Spaceport Act).”

5 (b) TREATMENT COMPARABLE TO AIRPORTS.—

6 (1) Subparagraph (A) of section 142(b)(1) of  
7 such Code is amended by striking “or (12)” and in-  
8 serting “(12), or (13)”.

9 (2) Subsection (c) of section 142 of such Code  
10 is amended by striking “or (11)” each place it ap-  
11 pears and inserting “(11), or (13)”.

12 (3) Paragraph (3) of section 146(g) of such  
13 Code is amended by striking “or (12)” and all that  
14 follows and inserting “(12), or (13) of section  
15 142(a), and”.

16 (c) TREATMENT OF PROPERTY OWNED BY DES-  
17 IGNATED TAX-EXEMPT ENTITIES.—Paragraph (1) of sec-  
18 tion 142(b) of such Code is amended by adding at the  
19 end the following new subparagraph:

20 “(C) SPACEPORT FACILITIES OWNED BY  
21 DESIGNATED TAX-EXEMPT ENTITIES.—For pur-  
22 poses of subparagraph (A), a spaceport shall be  
23 treated as owned by a governmental unit if it  
24 is owned by an entity which is exempt from tax  
25 under section 501(a) and which is designated

1           by the State in which the spaceport is located  
2           to develop and operate the spaceport.”

3           (d) EFFECTIVE DATE.—The amendments made by  
4 this section shall apply to obligations issued after the date  
5 of the enactment of this Act.

6 **SEC. 7. APPLICABILITY OF OTHER LAW.**

7           Except as otherwise provided in this Act, activities  
8 of spaceports shall be subject to applicable provisions of  
9 chapter 701 of title 49, United States Code, relating to  
10 commercial space transportation.

11 **SEC. 8. REGULATORY EXEMPTION.**

12          The activities of the National Spaceport Office and  
13 of spaceports shall not be subject to regulation by the Fed-  
14 eral Government except as provided in—

15           (1) this Act;

16           (2) chapter 701 of title 49, United States Code;

17          and

18           (3) applicable laws relating to worker and work-  
19 place safety.

20 **SEC. 9. ANNUAL REPORT.**

21          The director of the National Spaceport Office shall  
22 annually transmit to the Congress a report on its activities  
23 under this Act.

1 **SEC. 10. AUTHORIZATION OF APPROPRIATIONS.**

2       There are authorized to be appropriated to the Sec-  
3 retary of Transportation, out of the Airport and Airway  
4 Trust Fund established under section 9502 of the Internal  
5 Revenue Code of 1986 (26 U.S.C. 9502), for carrying out  
6 this Act \$20,000,000 for each of the fiscal years 1996  
7 through 2000.

8 **SEC. 11. TERMINATION OF NATIONAL SPACEPORT OFFICE.**

9       The National Spaceport Office shall terminate on Oc-  
10 tober 1, 2000.

